

today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 9 a.m., to conduct a business meeting.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY

The Subcommittee on Africa and Global Health Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a classified briefing.

SUBCOMMITTEE ON CHEMICAL SAFETY, WASTE MANAGEMENT, ENVIRONMENTAL JUSTICE, AND REGULATORY OVERSIGHT

The Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that Jonathan McKernan, a detailee on the Banking Committee, be given floor privileges throughout the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, I ask unanimous consent that floor privileges be granted to David Rosner—he is a FERC detailee with my staff on the Committee on Energy and Natural Resources—effective immediately through the end of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

BANNING OPERATIONS AND LEASES WITH THE ILLEGITIMATE VENEZUELAN AUTHORITARIAN REGIME ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 96, S. 688.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 688) to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

Mr. KING. I ask unanimous consent that the Scott substitute amendment at the desk be considered read and agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 6543) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Banning Operations and Leases with the Illegitimate Venezuelan Authoritarian Regime Act” or the “BOLIVAR Act”.

SEC. 2. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE MADURO REGIME.

(a) PROHIBITION.—Except as provided in subsections (b), (c), and (d), the head of an executive agency may not enter into a contract for the procurement of goods or services with any person that the head of an executive agency determines, with the concurrence of the Secretary of State, knowingly engages in significant business operations with an authority of the Government of Venezuela that is not recognized as the legitimate Government of Venezuela by the United States.

(b) EXCEPTIONS.—

(1) IN GENERAL.—The prohibition under subsection (a) does not apply to a contract that the Secretary of State determines—

(A) is necessary—

(i) for purposes of providing humanitarian assistance to the people of Venezuela;

(ii) for purposes of providing disaster relief and other urgent life-saving measures; or

(iii) to carry out noncombatant evacuations; or

(B) is in the national security interests of the United States.

(2) SUPPORT FOR UNITED STATES GOVERNMENT ACTIVITIES.—The prohibition in subsection (a) shall not apply to contracts that support United States Government activities in Venezuela, including those necessary for the maintenance of United States Government facilities in Venezuela, or to contracts with international organizations.

(3) NOTIFICATION REQUIREMENT.—The Secretary of State shall notify the appropriate congressional committees of any contract entered into on the basis of an exception provided for under paragraph (1).

(c) OFFICE OF FOREIGN ASSETS CONTROL LICENSES.—The prohibition in subsection (a) does not apply to a person that has a valid license to operate in Venezuela issued by the Office of Foreign Assets Control.

(d) AMERICAN DIPLOMATIC MISSION IN VENEZUELA.—The prohibition in subsection (a) does not apply to contracts related to the operation and maintenance of the United States Government's consular offices and diplomatic posts in Venezuela.

(e) WAIVER.—The Secretary of State may waive the requirements of subsection (a) if the Secretary of State determines that to do so is in the national interest of the United States.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate and the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives.

(2) BUSINESS OPERATIONS.—The term “business operations” means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(3) EXECUTIVE AGENCY.—The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

(4) GOVERNMENT OF VENEZUELA.—(A) The term “Government of Venezuela” includes the government of any political subdivision of Venezuela, and any agency or instrumentality of the Government of Venezuela.

(B) For purposes of subparagraph (A), the term “agency or instrumentality of the Government of Venezuela” means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in such section to “a foreign state” deemed to be a reference to “Venezuela”.

(5) PERSON.—The term “person” means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government; and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

(g) TERM OF APPLICABILITY.—This section shall apply with respect to any contract entered into during the three-year period beginning on the date of the enactment of this Act.

Mr. KING. I ask that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. KING. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 688), as amended, was passed.

Mr. KING. I further ask that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

SAVING MONEY AND ACCELERATING REPAIRS THROUGH LEASING ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 486, S. 2793.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2793) to authorize the Administrator of General Services to establish an enhanced use lease pilot program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Saving Money and Accelerating Repairs Through Leasing Act" or the "SMART Leasing Act".

SEC. 2. ENHANCED USE LEASE PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of General Services.

(2) PILOT PROGRAM.—The term "pilot program" means the enhanced use lease pilot program established under subsection (b).

(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term "relevant congressional committees" means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Environment and Public Works of the Senate;

(C) the Committee on Oversight and Reform of the House of Representatives; and

(D) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) ESTABLISHMENT.—The Administrator may establish an enhanced use lease pilot program under which the Administrator may authorize Federal agencies to enter into a lease with any person or entity (including another department or agency of the Federal Government or an entity of a State or local government) with regard to any underutilized nonexcess real property and related personal property under the jurisdiction of the Administrator.

(c) MONETARY CONSIDERATION.—

(1) FAIR MARKET VALUE.—A person or entity entering into a lease under the pilot program shall provide monetary consideration for the lease at fair market value, as determined by the Administrator.

(2) UTILIZATION.—

(A) IN GENERAL.—The Administrator may use monetary consideration received under this subsection for a lease entered into under the pilot program to cover the full costs to the Administration in connection with the lease.

(B) CAPITAL REVITALIZATION AND IMPROVEMENTS.—Any amounts of monetary consideration received under this subsection that are not used in accordance with subparagraph (A) shall—

(i) be deposited in a working capital account to be established by the Federal agency engaged in the lease of the property; and

(ii) remain available until expended for maintenance, capital revitalization, and improvements of the real property assets and related personal property at the Federal agency, subject to the concurrence of the Administrator.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such terms and conditions in connection with a lease under the pilot program as the Administrator considers appropriate to protect the interests of the United States.

(e) RELATIONSHIP TO OTHER LEASE AUTHORITY.—The authority under the pilot program to lease property under the jurisdiction of the Administrator is in addition to any other authority under Federal law to lease property under the jurisdiction of the Administrator.

(f) WAIVER.—A property leased under the pilot program shall not be subject to section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411) before leasing the property under such pilot program.

(g) LEASE RESTRICTIONS.—

(1) NO LEASEBACK OR GUARANTEED SERVICE CONTRACT.—The Administrator may not lease back property under the pilot program during the term of the lease or enter into guaranteed service or similar contracts with the lessee relating to the property.

(2) CERTIFICATION.—The Administrator may not enter into a lease under the pilot program unless the Administrator certifies that the lease will not have a negative impact on the mission of the Administrator or the applicable Federal agency.

(3) MAXIMUM NUMBER OF LEASES.—The Administrator may enter into not more than 6 leases under the pilot program during each fiscal year.

(4) DURATION OF LEASES.—The Administrator may not enter into a lease under the pilot program with a term of more than 15 years.

(h) REPORTING.—

(1) ANNUAL REPORTS.—Not later than January 31 of each year, the Administrator shall submit to the relevant congressional committees a report on the pilot program, including—

(A) a description of each lease entered into under the pilot program, including the value of the lease, the amount of consideration received, and the use of the consideration received; and

(B) the availability and use of the funds received under the pilot program for the Administrator or the Federal agency engaged in the lease of nonexcess real property and related personal property.

(2) FINAL REPORT.—Not later than September 30, 2024, the Administrator shall submit to the relevant congressional committees a final report on the pilot program, including a recommendation on whether the pilot program should be extended.

(i) DURATION.—

(1) IN GENERAL.—The authority to enter into leases under the pilot program shall expire on September 30, 2024.

(2) SAVINGS PROVISION.—The expiration under this subsection of authority to enter into leases under the pilot program shall not affect the validity or term of leases or the retention of proceeds by the Federal agency from leases entered into under the pilot program before the expiration of the authority.

Mr. KING. I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 2793), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

COMMEMORATING THE 30TH ANNIVERSARY OF OPERATION PROVIDE COMFORT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 612, S. Con Res. 16.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 16) commemorating the 30th anniversary of Operation Provide Comfort.

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic, and with an amendment to the preamble to insert the part printed in italic, as follows:

Whereas, in March 1991, Saddam Hussein responded to an uprising in Iraqi Kurdistan with a violent military campaign that included the use of chemical weapons against the citizens of Iraqi Kurdistan, most of whom were unarmed civilians;

Whereas Saddam Hussein's forces killed approximately 200,000 Iraqi Kurds, destroyed approximately 4,500 Iraqi Kurdish villages, and displaced hundreds of thousands of Iraqi Kurds who fled to the northern and eastern borders of Iraq, fearing that the regime would use chemical weapons against them, as it did during Saddam Hussein's Anfal campaign, including the Halabja chemical weapon attack only 3 years before;

Whereas, at one point in the early days of the 1991 crisis, the daily death toll of fleeing Iraqi Kurds exceeded 1,000, with victims succumbing to exposure, malnutrition, and disease;

Whereas, the United States, in response to the unfolding humanitarian catastrophe, led Operation Provide Comfort, delivering humanitarian relief and enforcing a no-fly zone, saving the lives of countless thousands of Iraqi Kurds from near certain death on the freezing and rugged border mountains of Iraqi Kurdistan;

Whereas Operation Provide Comfort provided security and stability in Iraqi Kurdistan; and

Whereas the Kurdistan regional government and the Kurdish Peshmerga remain steadfast partners of the United States in the fight against extremism and terrorism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

That Congress—

(1) commemorates the 30th anniversary of Operation Provide Comfort;

(2) recognizes and honors the soldiers, diplomats, political leaders, and coalition partners of the United States who implemented Operation Provide Comfort;

(3) recognizes and honors the nearly 2,000,000 Iraqis, mostly Kurds, who were displaced by the Hussein regime and who survived starvation and exposure, and for whom Operation Provide Comfort offered assistance, security, and a chance for a new life;

(4) encourages Iraqi Kurdish leaders to continue to uphold the values of democracy, human rights, and freedom; and

(5) reaffirms—

(A) the strong partnership between the United States and the Iraqi Kurds, which exists in complementarity with the United States strong partnership with the Government of Iraq; and

(B) the enduring respect and support of Congress for Iraqi Kurds, who continue to stand with the United States in shared opposition to extremism and terrorism.

Mr. KING. I further ask that the committee-reported substitute amendment be agreed to; the resolution, as amended, be agreed to; the committee-reported substitute amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.